

Case 1/1090

MM/D

**FILE**

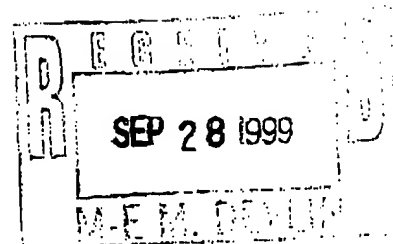
APPLICANT(S): Freider Marz  
SERIAL NO.: 09/337,789  
FILING DATE: June 22, 1999  
DOCKET NO.: 1/1090  
TITLE: Stable Xylometazoline and  
Oxymetazoline Solution

IN CONNECTION WITH THE ABOVE CASE, PLEASE  
DATE STAMP TO ACKNOWLEDGE RECEIPT OF THE  
DOCUMENTS LISTED BELOW, AND RETURN TO  
ADDRESSEE.

1. Submission of Missing Parts of ;
2. Copy of Form PTO-1533;
3. Declaration; and
4. English Translation of Specification (16 pages).

Date Mailed:  
September 15, 1999

SEP 21 1999



**Telefax**

**TO:** Margar t St v ns  
**DATE:** February 25, 2003  
**FAX:** 703-308-4407  
**PHONE:** 703-305-3608  
**TOTAL NUMBER OF PAGES:** including cover sheet)

Mary-Ellen M. Devlin  
Telephone (203) 798-4866  
TeleFax (203) 798-4408

**RE:** Applicants: Frieder Maerz  
Serial No: 09/337,789  
Filing Date: June 22, 1999  
Docket No: 1/1090  
Title: Stable Xylometazoline and  
Oxymetazoline Solution

Boehringer Ingelheim Corporation  
Legal Department

As per our phone conversation of February 25, 2003, enclosed please find copies of:

1. Return Postcard mailed September 15, 1999 (1 page);
2. Submission of Missing Parts of Application (1 page);
3. Notice to File Missing Parts of Application (1 page);
4. Translator's Declaration (1 page);
5. English Translation of the Application (16 pages); and
6. Stamped Return Postcard Acknowledging Receipt.

Very truly yours,

A handwritten signature in black ink, appearing to read "M. Devlin", written over a horizontal line.

Mary-Ellen M. Devlin  
Executive Group Counsel, Intellectual Property

APPLICANT(S): **Freider Marz**  
SERIAL NO.: **09/337,789**  
FILING DATE: **June 22, 1999**  
DOCKET NO.: **1/1090**  
TITLE: **Stable Xylometazoline and  
Oxymetazoline Solution**

**FILE COPY**

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1. **Submission of Missing Parts of ;**
2. **Copy of Form PTO-1533;**
3. **Declaration; and**
4. **English Translation of Specification (16 pages).**

**Date Mailed:**  
**September 15, 1999**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Frieder Marz  
Serial No.: 09/337,789  
Filed: June 22, 1999  
For: Stable Xylometazoline and Oxymetazoline Solution  
Docket No.: 1/1090

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**SUBMISSION OF MISSING PARTS OF APPLICATION**

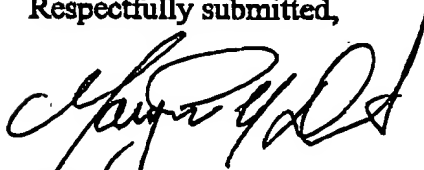
Sir:

In response to the Notice To File Missing Parts of Application mailed on July 16, 1999, enclosed please find the Verified English Translation.

As indicated on Form PTO 1533 the surcharge set forth in 37 CFR 1.17(k) for submission of the English translation at this time, in the amount of \$130.00, has been pre-paid.

As requested, a copy of the Notice To File Missing Parts of Application is enclosed herewith.

Respectfully submitted,



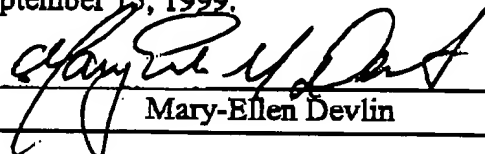
Mary-Ellen M. Devlin  
Attorney for Applicant(s)  
Reg. No. 27,928

Patent Department  
Boehringer Ingelheim Corp.  
900 Ridgebury Road  
P.O. Box 368  
Ridgefield, CT 06877  
Tel: (203) 798-4866  
Date: September 15, 1999

**Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner For Patents  
Washington, DC 20231  
on September 15, 1999.



Mary-Ellen Devlin



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/337,789

06/22/99

MARZ

F

1/1090

0232/0716

ROBERT RAYMOND  
BOEHRINGER INGELHEIM CORPORATION  
900 RIDGEBURY ROAD  
P O BOX 368  
RIDGEFIELD CT 06877

NOT ASSIGNED

0000

DATE MAILED:

07/16/99

### NOTICE TO FILE MISSING PARTS OF APPLICATION

*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.138(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☐ non-small entity is \$ 130.

☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☒ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless *PRE-PAID* previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**